

## Tarmac Asphalt Plant - Proposed Retention until 2014

Written statement to be read out at the planning meeting 25 May 2001, on behalf of Mr and Mrs [REDACTED] Residents of Bittering for 33 years.

Firstly we would like to express our profound disappointment that more notice was not given to allow for individuals to make verbal representation at the planning meeting. Having written to Norfolk County Council on 8 May 2001 requesting notification - this was received on Monday of this week.

We have been told that Government is committed to improving the quality of life for everyone. What we would like to know is - when can we expect this to happen for the people of Bittering and Wendling. When will it be our turn? Based on what has happened over the past 30-40 years this will never happen. To-date local people have had no reason to believe that the planning system will ever work for them. In the paper yesterday it was stated that..."an objection to the plant on transport grounds is impossible because it does not actually propose an increase." People living in Wendling and Bittering have had enough of HGV traffic hauling through their villages. With each successive planning application we have had to put up with this inertia from the Highways department. Present levels of HGV traffic, combined with increasing size and capacity have been a contentious issue for a very long time. The Highways department has consistently failed to recognise these legitimate concerns. If the Highways department were minded to, they could reasonably raise an objection on the grounds that local people should be given some relief from HGV traffic levels, a 14 year long-term variation would extend this already unacceptable impact on local people.

In 1980 at a meeting between representatives of Bittering Parochial Church Council and Tarmac, an assurance was given by Tarmac that by 1992 all economically accessible deposits in the Bittering area would have been worked and the plant would cease. 21 years later and we are still waiting. Tarmac are not at fault for doing their job. Fundamentally the fault lies with a failure to limit the scale and duration of the development. Indigenous minerals can only be obtained from where they are found- But, there is no imperative for the asphalt plant to remain at Bittering and as such can be relocated somewhere else. The determining factor is and always has been a commercial one and on this basis profits have been put before people. Public tolerance has been stretched to the limit by such never-ending planning permissions.

The report to members of the Planning Committee suggests that there is no overriding amenity, landscape or highway objection. It is difficult to fully express our Profound disappointed in Norfolk County Council for not presenting a fair assessment of the amenity, landscape and highway impact. By no stretch of the imagination could any fair-minded person suggest that the plant near my property is reasonably well screened. I also expect that not many fair-minded people would find it reasonable or acceptable to be woken up at 6am by an asphalt plant. And if that isn't enough to deal with, the day brings a combination of noise and asphalt fumes from the plant, HGV traffic, reversing alarms, dust and visual intrusion, which would make any fair-minded person angry. Walking in the vicinity of our home can hardly be described as a pleasant experience, and sitting in the garden is only acceptable on Saturday afternoons or Sundays. Having had to live with this type of development for 33 years we take issue with the suggestion made by Norfolk County Council that the above impacts can and

[have] been satisfactorily controlled by conditions. To-date planning conditions have failed to achieve such high expectations as set out in the report to Members.

The impacts of the asphalt plant are actual and not potential. Arguably after nearly 10 years of trying with the now expired permission, there are reasonable grounds to suggest that Tarmac is unable to satisfactorily control them. Whilst we do not wish to prejudge the reasons why Norfolk County Council has failed in its report to fully characterise and consider these impacts, undoubtedly by such omission we have been placed at a distinct disadvantage

In recommending this planning application without an Environmental Impact Assessment Norfolk County Council has determined that the details provided in 1992 were sufficiently robust enough without further environmental scrutiny. Norfolk County Council had the discretion to request an Environmental Impact Assessment, which, in accordance with EC law is part of an inclusive and democratic procedure. It is interesting at this late stage that Tarmac has now expressed a willingness to limit their stockpiles of material and now want to submit a landscape scheme to mitigate the views from my property. Given that Norfolk County Council and Tarmac by omission have not considered such measures necessary, we would comment that such willingness now is untimely and inappropriate. Tarmac has had more than enough time to deal with the environmental issues at Bittering, which I hasten to add, will not be resolved by planting a few trees.

In conclusion, we note that The Human Rights Act 1998 now safeguards the rights of the individual. The requirements under Article 25 suggest that one who is directly affected by a development may well seek a solution through litigation. The First Protocol (article 1) states that every natural or legal person is entitled to the peaceful enjoyment of his possessions. Under the First Protocol individuals deprived of their rights suffering financial loss due to such neighbouring developments may well seek and be granted compensation. We have had enough of fighting the many industrial planning applications at Bittering and to that end we do not have the peaceful enjoyment of our home. On balance we are victims who may have no choice but to have the 'merits of this case challenged under the Human Rights Act 1998. We therefore ask for your support in having this application turned down.

